

DAC

PATENT  
Docket No.: P104-US



**CERTIFICATE OF MAILING BY "FIRST CLASS MAIL" 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on September 10, 2003 in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Patti Crowder

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Benjamin N. Eldridge et al.

Application No.: 10/062,999

Filing Date: January 30, 2002

For: APPARATUS FOR REDUCING POWER  
SUPPLY NOISE IN AN INTEGRATED  
CIRCUIT

Examiner: Vincent Q. Nguyen

Group Art Unit: 3577

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**  
**BASED ON FAILURE TO RECEIVE OFFICE ACTION**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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SEP 22 2003

**OFFICE OF PETITIONS**

Dear Sir:

The Commissioner is hereby petitioned under 37 C.F.R. § 1.181 to withdraw the holding of abandonment in the above-referenced application and to mail a new copy of the Notice of Allowance and Issue Fee Due forming the basis of the abandonment on the grounds that the Notice of Allowance and Issue Fee Due was not received. In support of this petition, the undersigned states:

(a) On July 22, 2003, Applicants received a Notice of Abandonment in the above-referenced application stating that the application was abandoned for non-receipt of the Issue Fee in response to a Notice of Allowance and Issue Fee Due mailed on February 24, 2003. A copy of the Notice of Abandonment is attached as Exhibit A.

09/17/2003 CNGUYEN 00000004 500285 10062999

01 FC:1460 130.00 DA

(b) A search of the file jacket and the docket records at FormFactor, Inc., the assignee of this application whose offices are located at the correspondence address of record in this application, shows that the Notice of Allowance and Issue Fee Due has not been received. A copy of the docket record where FormFactor, Inc. would have docketed receipt of the Notice of Allowance and Issue Fee Due is enclosed as Exhibit B.

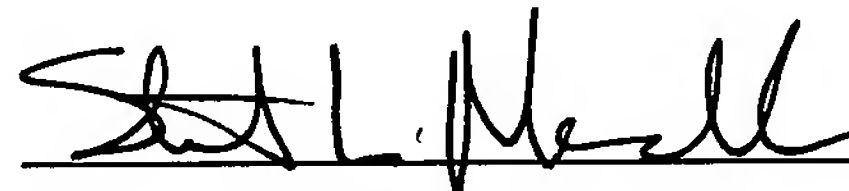
In consideration of these submissions, it is respectfully requested that the holding of abandonment be withdrawn, and a new copy of the Notice of Allowance and Issue Fee Due be mailed.

Applicants hereby authorize the Commissioner to charge a petition fee of \$130.00 as required by 37 C.F.R. § 1.17(h) to Deposit Account No. 50-0285 (order no. P104-US). Although Applicants believe that no additional fees are required, Applicants authorize the Commissioner to charge any additional fees due in connection with the filing of this paper also to Deposit Account No. 50-0285 (order no. P104-US).

Respectfully submitted,

Date: September 10, 2003

By:



Stuart L. Merkadeau  
Registration No. 33,262

FormFactor, Inc.  
Legal Department  
2140 Research Drive  
Livermore, CA 94550  
925-294-4300  
925-294-8147 Fax

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/062,999	01/30/2002	Benjamin N. Eldridge	P1046-US	3577

27520 7590 07/10/2003

FORMFACTOR, INC.  
LEGAL DEPARTMENT  
2140 RESEARCH DRIVE  
LIVERMORE, CA 94550

JUL 22 2003

EXAMINER

NGUYEN, VINCENT Q

ART UNIT PAPER NUMBER

2858

PH8

DATE MAILED 07/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

FormFactor, Inc.  
IP Department

Date: 7-22 By: PC  
Action: Petition to Revoke  
Due Date: 9-10-03  
1x 2x 3x  
Final: 9-10-03  
File No: P1046-US  
Attorney/Firm: SLM  
MW

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**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
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DATE MAILED:

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OFFICE OF PETITIONS

### NOTICE OF ABANDONMENT

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper response to the Office letter mailed on \_\_\_\_\_.
- ☐ A response (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_, which is after the expiration of the period for response (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
- ☐ A proposed response was received on \_\_\_\_\_, but it does not constitute a proper response to the final rejection.  
  
(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).)
- ☐ No response has been received.
- ☐ Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.
- ☐ The issue fee (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_.
- ☐ The submitted issue fee of \$ \_\_\_\_\_ is insufficient. The issue fee required by 37 CFR 1.18 is \$ \_\_\_\_\_.
- ☐ The issue fee has not been received.
- ☐ Applicant's failure to timely file new formal drawings as required in the Notice of Allowability.
- ☐ Proposed new formal drawings (with a Certificate of Mailing or Transmission of \_\_\_\_\_) were received on \_\_\_\_\_.
- ☐ The proposed new formal drawings filed \_\_\_\_\_ are not acceptable.
- ☐ No proposed new formal drawings have been received.
- ☐ The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on \_\_\_\_\_.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity) under 37 CFR 1.34(a) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:

**Respond to the Notice of Abandonment by one of the following:**

**Petition To Withdraw Holding of Abandonment (See MPEP 711.03(c) I) and 37 CFR § 1.181) No fee required**

Where an applicant contends that the application is not in fact abandoned (e.g., there is disagreement as to the sufficiency of the reply, or as to controlling dates), a petition under 37 CFR § 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course of action. Any petition under 37 CFR § 1.181, to withdraw the holding of abandonment not filed within 2 months of the mail date of a Notice of Abandonment may be dismissed as untimely under 37 CFR § 1.181(f).

In order for a petition to be granted, the evidence must be sufficient according to one of the following standards:

- 37 CFR § 1.8(b) Certificate of Mailing
- 37 CFR § 1.10 "Express Mail" mailing
- MPEP 503 Postcard Receipt as Prima Facie Evidence

Petition To Withdraw Holding Of Abandonment should be addressed as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Mail Stop: Issue Fee, Alexandria, VA 22313-1450

By facsimile: 703-305-8755 or 703-305-4372

**Petition To Withdraw Holding Of Abandonment Based On Failure To Receive Office Action (See MPEP 711.03(c) II). No fee required**

Where an applicant contends that the original Notice of Allowance and Issue Fee Due was never received. If adequately supported, the Office may grant the petition and remail the Office action. The showing required establishing non-receipt of an Office communication must include a statement from the practitioner stating that the Office communication was not received and attesting to the fact that a search of the file jacket and docket records indicates that the Office communication was not received. A copy of the docket record where the nonreceived Office would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement.

Petition should be addressed to the Technology Center handling the application as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450  
(Mark attention of a particular office or individual)

By facsimile: Technology Center numbers posted at <http://www.uspto.gov/september1/faxnotice.htm>

**Petition To Revive An Abandoned Application (See MPEP 711.03(c) III)**

Where there is no dispute as to whether an application is abandoned (e.g. the applicant's contentions merely involve the cause of abandonment) a petition under 37 CFR § 1.137 (a) unavoidable or (b) unintentionally (accompanied by the appropriate petition fee) is necessary to revive the abandoned application.

Petitions under 37 CFR § 1.137 should be addressed to the Office of Petitions as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450

By hand: Crystal Plaza 4, Rm. 3C23, 2201 Clark Place, Arlington, VA

By facsimile: 703-308-6916

Petition For Revival Of An Application For Patent Abandoned Unavoidably Under 37 CFR § 1.137(a) and Unintentionally Under 37 CFR 1.137(b), forms available at USPTO website – <http://www.uspto.gov>

Note: Abandonment takes place by operation of law for failure to reply to an Office action or timely pay the issue fee, not by operation of the mailing of a Notice of Abandonment.

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**OFFICE OF PETITIONS**

**Filing Date** 1/30/2002

**FFI/Firm**

**Enter Date Allowed**

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INVENTOR Benjamin D. Elledge Charles A. Miller  
SERIAL NO. 10/162,995 FILED January 30, 2002  
TITLE Apparatus For Reducing Power Supply Noise  
In An Integrated Circuit  
ASSIGNEE \_\_\_\_\_  
ASSIGNMENT RECORDED \_\_\_\_\_ REEL \_\_\_\_\_ FRAME \_\_\_\_\_

CLIENT or TITLE  
DIVISION OF  
CONTINUATION IN PART OF

INVENTOR	
CANADIAN	

SERIAL NO.	OTHER FOREIGN

P104 -45

OIPE IDS  
 NISS  
 SEP 15 2003  
 WA  
 Not  
 PATENT & TRADEMARK

[illegible]

ALLOWED \_\_\_\_\_ FINAL FEE PAID \_\_\_\_\_  
PATENT NO. \_\_\_\_\_ DATE \_\_\_\_\_

# INITIAL SCREENING OF INCOMING PAPERS CHECKLIST

Reviewer: CB Date: 9/28/03

APPLICATION NO. 10/062 999

## 1. PETITION TYPE CODE

☐ R137(a) Petition-----501  
☐ R137(a) Petition -----509  
     (Issue Fee/Dwgs)  
☐ R137(b) Petition-----502  
☐ R137(b) Petition-----510  
     (Issue Fee/Dwgs)  
☐ R137(f) Petition-----536  
☐ R182 Petition-----519  
☐ R183 Petition-----503  
☐ R378(b) Petition-----532  
☐ R378(c) Petition-----533  
☐ R377 Petition-----521  
☐ R3.81(b) Petition-----523  
☐ R181 Petition-----515  
☐ R181 Petition-----504

## PETITION TYPE CODE

☐ R28c Petition-----321/320  
☐ R47 Petition-----313  
☐ R53(e) Petition-----408  
☐ R53 (R62 filing date)----410  
☐ R10 Petition-----411  
☐ Lost Application-----412  
☐ R78(a)(3) Petition-----535  
☐ R78(a)(6) Petition-----535  
☐ R55(c) Petition-----535  
☐ R314 Petition-----508  
☐ R55(a) Petition-----507  
☐ Pet. W/D Abn-----525  
☐ R705(b) PTA-Bef iss-----550  
☐ R705(d) PTA-Aft iss-----551  
☐ R705(c)PTA-SpiteDueCare-552  
☐ Other \_\_\_\_\_

## 2. LIST PAPERS FILED WITH PETITIONS

<input type="checkbox"/> PreAmdt/Amdt	<input type="checkbox"/> CPA	<input type="checkbox"/> Associate POA
<input type="checkbox"/> Rule 312 Amdt	<input type="checkbox"/> RCE	<input type="checkbox"/> Change of Address
<input type="checkbox"/> Reply/Arguments	<input type="checkbox"/> IDS	<input type="checkbox"/> Revocation/POA
<input type="checkbox"/> Election	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Oath/Decl. & POA
<input type="checkbox"/> Notice of Appeal	<input type="checkbox"/> Request CofC	<input type="checkbox"/> Priority Documents
<input type="checkbox"/> Brief (3)	<input type="checkbox"/> Issue Fee	<input type="checkbox"/> Statement 3.73(b)
<input type="checkbox"/> Reply Brief	<input type="checkbox"/> Drawings	<input type="checkbox"/> Rescind Non-Pub Req.
<input type="checkbox"/> Declaration R132	<input type="checkbox"/> Ext Time (____)	<input type="checkbox"/> Notice of Foreign Filing

Other Papers \_\_\_\_\_

3. Is paper a petition to withdraw holding of abandonment: yes no  
 If so, send paper and/or file to appropriate location (**Note: remove any flag set first**):

- Nonreceipt of action from TC or assertion that reply was timely filed:  
 Send paper to TC \_\_\_\_\_
- Nonreceipt of Missing Parts Notice or assertion that reply was timely filed:  
 Send paper to DIRECTOR -OIPE - -CP2-7D25 (PH: 308-0910)
- Assertion of timely payment of issue fee and/or submission of drawings:  
 Send petition to Office of Publications: ATTN: Tom Hawkins
- Other \_\_\_\_\_

4. Other: Office of Pubs Tom Hawkins  
 If not handled in Office of Petitions, send paper to appropriate location.

5. Is petition accompanied by assignment papers, fee address, or other paper which needs to be sent to another location? yes no If so, make copy of assignment papers, fee address, or other paper; mail original to proper location and place copy in file with an indication that the original paper(s) has been forwarded to the appropriate location (Assignment Branch; Maintenance Fee Division, etc.)